

AMENDMENTS TO THE DRAWINGS:

Figure 1 has been amended by adding the legend "PRIOR
ART.

REMARKS

Claims 1-20 remain in this application. Claim 21 has been added.

Figure 1 has been amended by adding a Prior Art legend.

Claim 1 has been amended to remove "of the type" and to recite that the axis (A3) extends generally parallel to a plane of the feeding rails. This is based at least on specification page 11, lines 17-19: The ejection wheel 40 is arranged at a determined height above the feeding rails 30 and essentially comprises a central shaft 42 whose axis A3 extends in a plane parallel to the plane of the feeding rails 30. Claim 1 has also been amended to recite "so as to eject incorrectly positioned preforms (10)". Further, claim 1 has been amended to recite that the means (46) of lifting the incorrectly positioned preforms (10) also lifts single preforms (10C), as shown in Figures 4-5.

Withdrawal of the indefiniteness rejection is therefore solicited.

Claim 21 is new and defines incorrectly positioned preforms more precisely, i.e., requires that the means of lifting (46) lifts incorrectly positioned preforms, including i) both single and nested preforms positioned upright in the feeding rails, and ii) both single and nested preforms positioned lying in the feeding rails. This is illustrated by preform 10C in Figures 4-5. See also specification page 13, lines 3-8: "According to a first configuration illustrated by the preform

10A, such a preform, called a "lying" type preform, single or nested, that reaches the junction of the downstream end of the alignment rollers 38 and the feeding rails 30 without having been able to be correctly positioned by the rollers 38, will usually be unbalanced and toppled."

Claims 1-6 and 9-18 stand rejected as anticipated by DOUDEMENT 5,186,307.

Claims 7, 8, 19, and 20 were rejected as obvious over DOUDEMENT.

Applicant respectfully disagrees.

DOUDEMENT does not disclose the recite means (46) of lifting the incorrectly positioned preforms (10), including single preforms (10C), of the lying type that extend generally transversely relative to the feeding rails (30), so as to cause them to be ejected by the ejection wheel (40) arranged downstream, as per claim 1. DOUDEMENT also does not disclose that the incorrectly positioned preforms lifted by said means (46) of lifting includes i) both single and nested preforms positioned upright in the feeding rails, and ii) both single and nested preforms positioned lying in the feeding rails.

In DOUDEMENT, the unbalancing means 14 of the removal unit 13 takes advantage of the difference in the position of the center of gravity of the separate (a single preform) and at least two interlocked or nested preforms to eliminate these type of

incorrectly positioned preforms, as explained for example at column 4, lines 17-23 and lines 41-52 (see also Figures 4 and 5).

The removal unit 13 of DOUDEMENT can eliminate incorrectly positioned preforms of the "lying" type (not correctly oriented vertically) or of "upright" type but only if it is a group of two interlocked preforms as shown particularly in Figure 2 (see respectively groups of preforms referenced 6.1 or 6.2).

That is the reason why such removal unit 13 is unable to eliminate all types of incorrectly positioned preforms, more particularly it is not able to eliminate a single preform incorrectly positioned like a single lying preform (10C) according to the third configuration described at page 13, line 28 to page 14, line 6 and shown in Figures 4 and 5.

As explained before, such a single lying preform (10C) will not be eliminated by the unbalancing means 14 because it is not nested with another preform the principle based on the difference in the position of the center of gravity cannot be used.

For this reason, the unit of DOUDEMENT will not eliminate a preform which is in lying position, e.g., transversely while straddling the feeding rails or the same, and a preform is for example held tight by the respective necks of the two adjacent preforms positioned in the feeding rails will not be ejected by the wheels 18 of the extraction device 17 by

the removal of the unit of DOUDEMENT and will so pass beneath these wheels 18.

Finally, such preform will cause an incident like undesirable stoppage or worth damage that may cause interruptions in the line of conveyed preforms and the blow molding machine situated downstream.

This is why the system of the invention comprises the said means (46) for lifting incorrectly positioned preforms, particularly preform(s) 10C - single or nested - of the lying type that extend in a generally transverse position relative to the rails as described on page 14, lines 7-11. Contrary to the removal unit of DOUDEMENT, the system of the invention gives satisfaction in all cases of incorrectly positioned preform(s).

Accordingly, reconsideration and allowance of all the claims are respectfully requested.

Please charge the claim fee of \$50 for the extra claim of any type to our credit card set forth in the attached Credit Card Payment Form.

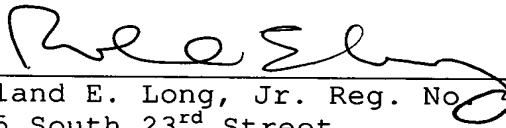
Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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REL/lk

APPENDIX:

The Appendix includes the following item:

- Replacement Sheet for Figure 1